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C O N F I D E N T I A L SECTION 01 OF 03 YEREVAN 000168

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SUBJECT: MR. KOCHARIAN'S WORLD: WHERE THE GOVERNMENT NEVER
DOES ANYTHING WRONG

REF: YEREVAN 163

Classified By: CDA Joseph Penningtons, reasons 1.4 (b,d)

¶11. (C) SUMMARY: President Kocharian called in CDA February 28 to discuss election-related violations, recent opposition arrests, and the possible use of force to clear the square. He alleged that the recent arrests were necessary to deter oppositionists from bringing firearms to the square, and said this had been successful. He said the opposition had tried to launch a military coup to seize power on February 22, but this had been thoroughly suppressed. Kocharian commented that the GOAM cannot allow itself to look weak; while he would prefer to let the Freedom Square rallies dwindle away naturally, the point may come when authorities must impose law and order. Kocharian insisted the elections had been quite clean and fair, with just a few very isolated problems which were being addressed. He expressed the view that U.S. reaction to Armenia's election was unfair, especially in comparison to how we had evaluated the Georgian election last month. He refused to admit that there were any significant problems with the February 19 election, which he insisted was the best in Armenia's history. END SUMMARY

¶12. (C) MEETING NOTES: CDA and Polchief met with President Kocharian late February 28 at the president's request. Kocharian was accompanied by FM Oskanian, presidential chief of staff Armen Gevorkian, and presidential interpreter/adviser Vigen Sargsian. Kocharian said he had heard that we met with the Prime Minister's staff. He said he was surprised about our reported concerns, and wanted to hear from us directly. Kocharian was in typical form: relaxed, friendly, joking-but-not-really, and completely monopolizing the conversation, despite his avowed goal to hear from us. FM Oskanian's body language told an interesting story of its own, as he alternated between leaned-back, staring at the ceiling, and hunched forward, staring at his shoes. Oskanian then left halfway through the meeting in order to keep an appointment with EU envoy Peter Semneby.

¶13. (C) ARE YOU TAKING SIDES?: Kocharian led with his ostensible worry whether there was "subjectivity" from the U.S. Embassy or if we might be taking sides in the political debate. Stopping just short of admitting electronic intercepts of opposition communications, Kocharian emphasized "we KNOW, not think, KNOW" that Ter-Petrossian's (LTP's) staffers and strategists make frequent references in their internal conversations to needing to consult with the American Embassy. He acknowledged maybe this is just something they tell each other, but asked whether we were actively cooperating or strategizing with LTP's campaign. CDA said of course we are doing no such thing; we speak with

LTP's side frequently to stay in touch with what is going on, but never advise or coordinate with them, and have nothing to do with their strategy. Kocharian dropped the point promptly, but made clear that the GOAM would be watching. (COMMENT: We believe Kocharian has excellent information from government surveillance resources of how often Emboffs have visited Freedom Square, and how often we get calls and text messages from LTP's campaign. We think he was playing a little game to try to put us off balance, as well as send a warning about getting too close with LTP. END COMMENT) CDA, echoing points made to PM staffers (reftel), said our goal is to help get Armenia through this difficult situation, correct the democratic trend lines, and establish the foundation for a solid partnership with a democratically legitimate, strong partner in President-elect Sargsian.

14. (C) NO PROBLEM HERE: Kocharian said as long as no external forces support or encourage the people in Freedom Square, there will be no problem. The ideal solution would be for LTP's support to exhaust itself naturally, and for people to realize that LTP is a spent force. This would eliminate a long-run political problem, by making everyone understand that LTP does not represent a viable political force. LTP's strategy, Kocharian said, is to fight and to consolidate a core group of diehards to keep resisting.

15. (C) WAS THERE A COUP ATTEMPT?: Kocharian said there was a "dangerous moment" with Yerkrapah (the influential group of veterans from the Karabakh war) several days before, when there was a risk that events might "get out of the political domain and turn into another domain" -- in other words, armed violence. Kocharian said "I solved it in one day," adding that he is now much more relaxed about the security

YEREVAN 00000168 002 OF 003

situation. He said Yerkrapah leaders now understand that if they attempt to use force in support of LTP, they will be opposed not just by the police, but by the "full capabilities" of the Armenian army. Bringing up our expressed concern about opposition activists being arrested, Kocharian said "what do you do in the U.S. with your terrorists? The whole world criticized you the last few years, but you still do what you have to do to stop the terrorists. We never criticize you for that." (NOTE: The day before, Misha Minasyan had also told us of an abortive LTP attempt to launch an armed coup February 22. Meanwhile, LTP adviser Levon Zurabian on February 22 had told polchief-- without saying how he knew -- that President Kocharian had had a very firm talk, upon his return from Moscow, with Deputy Defense Minister General Manvel Grigorian of the Yerkrapah organization, and as a result Grigorian appeared to be thoroughly cowed, had gone into self-imposed isolation, and was now unreachable by the LTP camp. Zurabian did not say how the LTP camp learned of Kocharian's strong sit-down with General Grigorian, but his mood was uncharacteristically downbeat throughout that meeting. Meanwhile, the NSS has also announced its arrest of several people it claims were planning to take over a Yerevan television station. END NOTE)

16. (C) GOTTA PROTECT THE PEOPLE: Kocharian said that arrests about which we had raised concerns were necessary, and the point was to make sure there are no armed persons in Freedom Square. Kocharian argued that several key Yerkrapah and pro-LTP people, who frequently come and go between the rally and other LTP bases, were carrying weapons. This made the whole situation more dangerous, and put all the thousands of people gathered in Freedom Square in danger. Kocharian said by arresting just a few of these people, the word quickly got around, and security services were now certain that no one in the square is bearing weapons. He asserted from his own combat experience that with a little observation a trained eye can quickly notice -- by the way he moves and behaves -- whether a man is carrying a gun concealed under his clothing. Kocharian said "at this point I don't care if the weapons are legal or illegal, they must not be there, and I'll arrest anyone who carries a weapon there." He said he

was confident that no one was any longer carrying weapons in the square.

¶7. (C) MORE ON OPPOSITION ARRESTS: At one point, Kocharian claimed that only one opposition politicians, Suren Surenyants, was arrested on weapons charges (drawing a distinction between politicians and other pro-LTP arrestees, such as the former deputy prosecutor general and oligarch Sukiasian's bodyguards). He claimed all the other politicians under detention were there for electoral violations in polling places on election day. He named one opposition politician, Petros Makeyan, who was arrested for intimidating voters in a polling place. He offered that, "if you and OSCE will agree not to criticize us not for failing to prosecute election crimes, we can let all of those people out of jail right away." But this would have to apply equally to opposition and pro-governmental people. At another point Kocharian offered, as evidence of his restraint, that he could legitimately throw in jail all of the organizers and speakers at the LTP rallies, because all of them have clearly broken the law with their insults of government leaders: "It's an open and shut case!" (COMMENT: His assertion does not hold up, given what we know of who has been arrested and for what. New Times Party chairman Aram Karapetian, for example, is already charged under accusation of slander, which, even if valid, would not seem to justify aggressively searching his home and party office and seizing computers. In any event, Kocharian's expansive idea of the appropriate use of slander and libel charges to criminalize political speech is a telling indicator. END COMMENT)

¶8. (C) TO CLEAR THE SQUARE?: Kocharian sent mixed signals, throughout the meeting, about whether and when he would send the police to clear the square. One minute he would suggest that time is on authorities' side and LTP can and should be waited out. But in the next sentence would talk about the importance of not appearing weak, the need to enforce the law, and ask how he could let an illegal rally continue to disrupt the peace and create a public nuisance in the center of Yerevan. The public will make an outcry, he argued, and demand that the law be enforced. Kocharian said that if he decides to clear the square, he can have it done in less than 40 minutes. He knows, though, that would result in people getting hurt, something he says he does not want. However,

YEREVAN 00000168 003 OF 003

he also argued that if the protests drag on too long the LTP supporters, and maybe the general public, may think that the law enforcement bodies are incapable of clearing the square, and this would only encourage them to consider further illegal acts. People must know that the authorities are strong and have the necessary capabilities to uphold the law.

¶9. (C) IN PRAISE OF RESTRAINT: CDA noted that we have consistently praised the Armenian government and police for its self-restraint and professionalism, in that there had been not one single incident of confrontation between police and protesters. Moreover, we have repeatedly emphasized to the opposition that they too have a heavy responsibility in avoiding confrontations and preventing violence. CDA also answered Kocharian's earlier point about the arrests, saying that while we do not know all the details of the cases against these individuals -- and in fact clear information from authorities has been hard to come by -- the optics of rounding up opposition supporters and throwing them in jail created the appearance of a political crackdown. Western media are also arriving in Yerevan and taking a greater interest, and this will be a significant problem. Authorities must do everything they can to reassure the public, the international community, and the ordinary citizens gathered at LTP's rallies in the square that this is not a crackdown, but legitimate law enforcement. Kocharian objected to the use of the word "crackdown" to describe the situation, and rejoindered to the effect that international media mainly get their information from us (in a seeming reference to the fact that a New York Times reporter had met

CDA in the embassy earlier that day), so we should help them get the story right. (COMMENT: Kocharian and his aides seem to relish signaling that they know, from their intel reports, a great deal about what we do. At the end of the meeting, Kocharian also said he knew that we had held a mock election within the embassy for our LES staff, and that LTP had won. We acknowledged that LTP had indeed won a plurality of about 40 percent of the mock votes. END COMMENT)

¶10. (C) A BEAUTIFUL ELECTION: Kocharian refused to acknowledge any problems in connection with the recent election, except for the one Territorial Election Commission recount that CDA personally had seen, and in the one PEC where the official recount reported fraud and the PEC members have been arrested. Aside from those two discreet problems, Kocharian insisted that nothing else was wrong. As evidence, he proclaimed there had not been one single case filed before the administrative court, which has jurisdiction over election related complaints. CDA conceded that the opposition had not always been as diligent as it could have been in availing itself of formal avenues of appeal, and that we had criticized opposition figures for that failure. But credible complaints had been raised in other channels, and there yet remains the Constitutional Court proceeding. Kocharian continued to insist that the lack of administrative court filings was proof positive that the opposition had no real evidence of anything wrong, or else they would have filed complaints.

¶11. (C) COMMENT: The meeting was a self-indulgent performance from Kocharian, who dominated the conversation, set up straw-man arguments only to knock them down, while hardly allowing CDA a chance to get in a word of substantive comment. It is not clear to us whether he believes this kind of conversation is effective in convincing us that we are mistaken or whether it is just his way of asserting control and maintaining the pretense that all the facts are on his side. That said, there is no denying that Kocharian has a roguish charisma and a certain brilliance at deploying arguments and assertions in a way that can be very difficult to dispute without directly challenging the integrity of the man and his government. We are glad, at least, to have had a more civilized conversation the day before with the PM's staffers on these issues, and to know that our points have been heard.

PENNINGTON